PATENT

Attorney Docket. #: 10738-97

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant: Reineke et al.

Serial No.: 10/596,520 :

Filed: June 15, 2006 :

Int. Filing Date: December 20, 2004 : Priority Date: December 19, 2003

For: **Polyamides and Polyamide Complexes and Method of Use**

PETITION REQUESTING WITHDRAWAL OF THE HOLDING OF ABANDONMENT UNDER 37 CFR 1.181(a)

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants have received a Decision on Request under 37 CFR 1.497(d) dated November 19, 2008. In that Decision, the Attorney Advisor Erin P. Thompson indicated that the present application is abandoned due to a failure to comply with the Notification of Defective Response, dated September 12, 2008, within the two-month time limit. Specifically, the Decision indicated that the revised sequence listing was found defective. Attorney for Applicants spoke by telephone with Ms. Thompson on November 25, 2008, wherein Ms. Thompson confirmed that the reason for abandonment was a defective revised sequence listing.

Applicants previously submitted a revised sequence listing on October 10, 2008. The revised sequence listing was deemed defective by reviewer Durreshwar Anjum on November 6, 2008.

The instant application is one of a family of cases, each requiring the same sequence listing. Accordingly, a substantively identical revised sequence listing was submitted for

related application number 12/134,556. That revised sequence listing was accepted and entered in that case by the same reviewer, Durreshwar Anjum, on October 17, 2008.

Attorney for Applicants spoke by telephone with sequence reviewer Mark Spencer on December 3, 2008. Mr. Spencer reviewed the rejected revised sequence listing for instant application number 10/596,520 and confirmed that the rejection of the revised sequence listing was made in error by the Patent Office. Accordingly, Mr. Spencer accepted and entered the revised sequence listing on December 8, 2008. A copy of the notice of acceptance and entry of the revised sequence listing is attached to this paper.

In view of Applicants' therefore timely submission of an acceptable revised sequence listing in response to the Notification of Defective Response dated September 16, 2008, Applicants respectfully request that the holding of Abandonment be withdrawn and that the application be allowed to proceed in prosecution.

It is not believed that any fee is due, however, if Applicants are in error, please charge any fee required in connection with this request to Deposit Account No. 04-1133.

Respectfully submitted,

/Jennifer L. Livingston/
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Sequence Listing was accepted.
If you need help call the Patent Electronic Business Center at (866) 217-9197 (toll free).
Reviewer: markspencer
Timestamp: [year=2008; month=12; day=8; hr=12; min=8; sec=35; ms=611;]

Validated By CRFValidator v 1.0.3

Application No: 10596520 Version No: 2.0

Input Set:

Output Set:

Started: 2008-12-08 11:11:29.088
Finished: 2008-12-08 11:11:29.584
Elapsed: 0 hr(s) 0 min(s) 0 sec(s) 496 ms
Total Warnings: 7
Total Errors: 0
No. of SeqIDs Defined: 7
Actual SeqID Count: 7

Error code		Error Description
W	213	Artificial or Unknown found in <213> in SEQ ID (1)
W	213	Artificial or Unknown found in <213> in SEQ ID (2)
W	213	Artificial or Unknown found in <213> in SEQ ID (3)
W	213	Artificial or Unknown found in <213> in SEQ ID (4)
W	213	Artificial or Unknown found in <213> in SEQ ID (5)
W	213	Artificial or Unknown found in <213> in SEQ ID (6)
W	213	Artificial or Unknown found in <213> in SEQ ID (7)

<110> Reineke, Theresa M.
Jones, Walter K.

<120> Polyamides and Polyamide Complexes and Method of Use

<130> 10738-97

<140> 10596520
<141> 2008-12-08

<150> PCT/US2004/042949
<151> 2004-12-20

<150> 60/531,399
<151> 2003-12-19

<150> 60/574,131
<151> 2004-05-25

<160> 7

<170> PatentIn version 3.5

<210> 1
<211> 6
<212> DNA
<213> Unknown

<220>
<223> Source is not specified in the application. The sequence is given as part of an example in the definition of the phrase "random at a position in a preselected sequence."

<400> 1
cttagt 6

<210> 2
<211> 6
<212> DNA
<213> Unknown

<220>
<223> Source is not specified in the application. The sequence is given as part of an example in the definition of the phrase "random at a position in a preselected sequence."

<220>
<221> misc_feature
<222> (4)..(4)
<223> n is randomly selected and can be a, t, c or g.

<400> 2

cttngt 6

<210> 3
<211> 10
<212> DNA
<213> Unknown

<220>
<223> Known NF-kB binding sequence.

<220>
<221> misc_feature
<222> (4)..(4)
<223> n is a purine residue

<220>
<221> misc_feature
<222> (5)..(6)
<223> n is any base

<220>
<221> misc_feature
<222> (7)..(8)
<223> n is a pyrimidine residue

<400> 3
gggnnnnncc 10

<210> 4
<211> 20
<212> DNA
<213> Unknown

<220>
<223> Sequence is given as an example of a suitable NF-kB decoy sequence.

<400> 4
ccttgaaggg atttccctcc 20

<210> 5
<211> 20
<212> DNA
<213> Unknown

<220>
<223> Sequence is given as an example of a suitable NF-kB decoy sequence.

<400> 5
ggaacttccc taaagggagg 20

<210> 6
<211> 10
<212> DNA
<213> Unknown

<220>
<223> Sequence is given as an example of a suitable NF-kB decoy sequence.

<400> 6
gggatttccc 10

<210> 7
<211> 22
<212> DNA
<213> Unknown

<220>
<223> Sequence is given as an example of a suitable NF-kB decoy sequence.

<400> 7
agttgagggg actttcccag gc 22